THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.25482 of 2006

Date : 27-11-2006

Between :

V.Veeramma w/o.Bayyapu Reddy .. Petitioner

And

The Revenue Divisional Officer,
Kadapa, Kadapa District
and another .. Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.25482 of 2006

ORDER:

1. Heard both the Counsel.

2. This Court issued *rule nisi* on 8-12-2006 and granted interim suspension in W.P.M.P.No.32651/2006.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents particularly the 1st respondent in canceling the petitioner's authorization without issuing any notice and without conducting any enquiry as Fair Price Shop Dealer of Chemullapalli village in Khajipet Mandal of Kadapa District in Ref.No.C/987/2006 dated 15-11-2006 as illegal, unjust, arbitrary and against the principles of natural justice and unilateral and against Clause 5(4) of A.P. Public Distribution System Control Order 2001 and consequently to set aside the order passed by the 1st respondent in Ref.C/987/2006 dated 15-11-2006 and to pass such other

suitable orders.

4. The impugned order dated 15-11-2006 reads as hereunder :

PROCEEDINGS OF THE REVENUE DIVISIONAL OFFICER, KADAPA

PRESENT Sri P.V.S. REDDY, M.A., B.L., (FAC)

Ref.C/987/2006 Dated : 15-11-2006

Sub:- Civil Supplies – Kadapa Division – Khajipet Mandal – Certain allegations against Smt.V.Veeramma, F.P. Shop Dealer of Chemullapalli village – Enquiry conducted – Report submitted – Temporary F.P. Shop dealership cancelled – Orders – Issued.

Read: M.R.O., Khajipet Ref.B/253/2006, Dated: 20-10-2006.

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ORDER:

The Mandal Revenue Officer, Khajipet in the reference cited has reported that the villagers of Chemullapalli (V) have put in petition against the F.P. shop dealer of Smt.V.Veeramma of Chemullapalli (V) as F.P.Shop dealer is not distributing E.Cs. properly.

The Mandal Revenue Officer, Khajipet after enquiry with the Villagers on allegations of the dealer of Chemullapalli (V), Khajipet (M) has reported that Smt.V.Veeramma, Fair Price Shop Dealer of Chemullapalli (V) is running the Fair Price Shop. The Fair Price Shop Dealer is present during

inspection 11-10-2006 and verified the cards and the irregularities committed by the Fair Price Shop Dealer. At the time of inspection the Fair Price Shop Dealer Smt.V.Veeramma, temporary dealer was present. She has produced the sales registers of E.Cs. for 9/2006. But she failed to produce the stock register. There is no ground balance of any commodity in her F.P. shop. The stocks for the month of October was not lifted. The cardholders have stated that the Fair Price Shop Dealer is not distributing the E.Cs. to the cardholders any commodity and they have dissatisfied with distribution and request the aleternate arrangements and giving reckless replies to the cardholders. The Fair Price Shop Dealer is distributing the E.Cs. for limited days in a month regarding K.Oil. The husband of the temporary Fair Price Shop Dealer Sri Balyapureddy is used to abuse the consumers with filthy language and giving reckless answers. She is not having any faith in the public and the cardholders are requested for alternate arrangements for distribution of E.Cs. The Mandal Revenue Officer, Khajipet Mandal has reported to initiate action against the Fair Price Shop Dealer for the

irregularities noticed.

Due to these irregularities temporary Fair Price Shop Dealership of Smt.Veeramma w/o. Bayapu Reddy, Chemullapalli (V), Khajipet (M) is hereby cancelled.

The Mandal Revenue Officer, Khajipet is requested to keep adjacent Fair Price Shop Dealer in place of the above for uninterrupted supply of E.Cs. to the ration cardholders of the above village.

Sd/-
P.V.S. Reddy
Revenue Divisional Officer,
Kadapa

6. Several facts had been narrated in the counter affidavit filed in support of the vacate application, W.V.M.P.No.269/2007.

7. It is stated by the learned Assistant Government Pleader for Civil Supplies that it is only a mistake. However, in the light of the facts and circumstances, the impugned order is hereby quashed giving liberty to the respondents to proceed in accordance with Law afresh if they require to do so.

8. The Writ Petition is accordingly disposed of. No order as to costs.

Justice P.S.Narayana

Date : 27-11-2007

AM